

BOARD OF APPEAL REFERRALS

December 15, 1982

1. Z-5928 Boston Children's Service Association
Roxbury Children's Service, Inc.
22 Elm Hill Avenue, Roxbury
2. Z-5930 John W. Hannon
1623 Hyde Park Avenue, Hyde Park
3. Z-5937 Happy Hour of Roslindale, Inc. Action
4187-4195 Washington Street, Roslindale Deferred
4. Z-5939 Ralph C. Pirelli
21 Sammett Avenue, Roslindale
5. Z-5940 John Bethoney
100 (rear) Allandale Street, Jamaica Plain
6. Z-5941 Carlo A. Tagariello
15 Unity Street, Boston
7. Z-5953 New Pathways to Life Foundation, Inc. / Paul D. Sullivan
5 G Street, South Boston
8. Z-5954 Andrew Saggese
421 Marlborough Street, Boston
9. Z-5956 Angelo P. Mastrorillo
534 Commercial Street, Boston
10. Z-5966 Coleman Realty - John N. Coleman
28-30 B Street, South Boston
11. Z-5972 Kwock Gen Jee
217-219 East Berkeley Street, Boston
12. Z-5975 Trustees of Boston University
24 Cummington Street, Boston
13. Z-5976 Roslindale Motor Sales, Inc. / Francis J. Devine
75 Stedman Street, Jamaica Plain
14. Z-5983-5984 Ida Berzins
25 Carlson Road and 854 Metropolitan Avenue, Hyde Park

MEMORANDUM

December 15, 1982

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 1/4/83

Z-5928

Boston Children's Service Association
Roxbury Children's Service, Inc.
22 Elm Hill Avenue, Roxbury
near Warren Street

Two-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential R-.8_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: change occupancy from day care center nursery to day care center, social service center, and mental health clinic.

Violation(s):

Mental health clinic is forbidden use.

Roxbury Children's Service, Inc., has operated child welfare agency—social service center at this location since 1968. Current services include adoption, foster care, family day care system, counseling services, protective services (child abuse/neglect), Madison Park High School counseling program. RCS has also provided mental health services to children and their families since September 1981 through a Model Demonstration Project funded by United Way and is in process of applying for license as mental health clinic from Department of Mental Health. Mental health component is staffed by trained and experienced mental health professionals. Recommend approval with proviso.

VOTED: In reference to petition Z-5928, Boston Children's Service Association, 22 Elm Hill Avenue, Roxbury, for a forbidden use for change of occupancy from day care center nursery to day care center nursery, social service center, and mental health clinic in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with proviso that community be made aware of services offered by the facility. Mental health services to children and their families have been provided since September 1981 through a Model Demonstration Project funded by United Way.



2-5928

22 ELM HILL AVE
(ROX.)

Board of Appeal Referrals 12/15/82

Hearing: 1/11/83

Z-5930

John W. Hannon

1623 Hyde Park Avenue, Hyde Park
near Reservation Road

Two-story structure

District(s):	apartment_____	general business_____	industrial_____ I-2
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: change occupancy from storage to three-family dwelling.

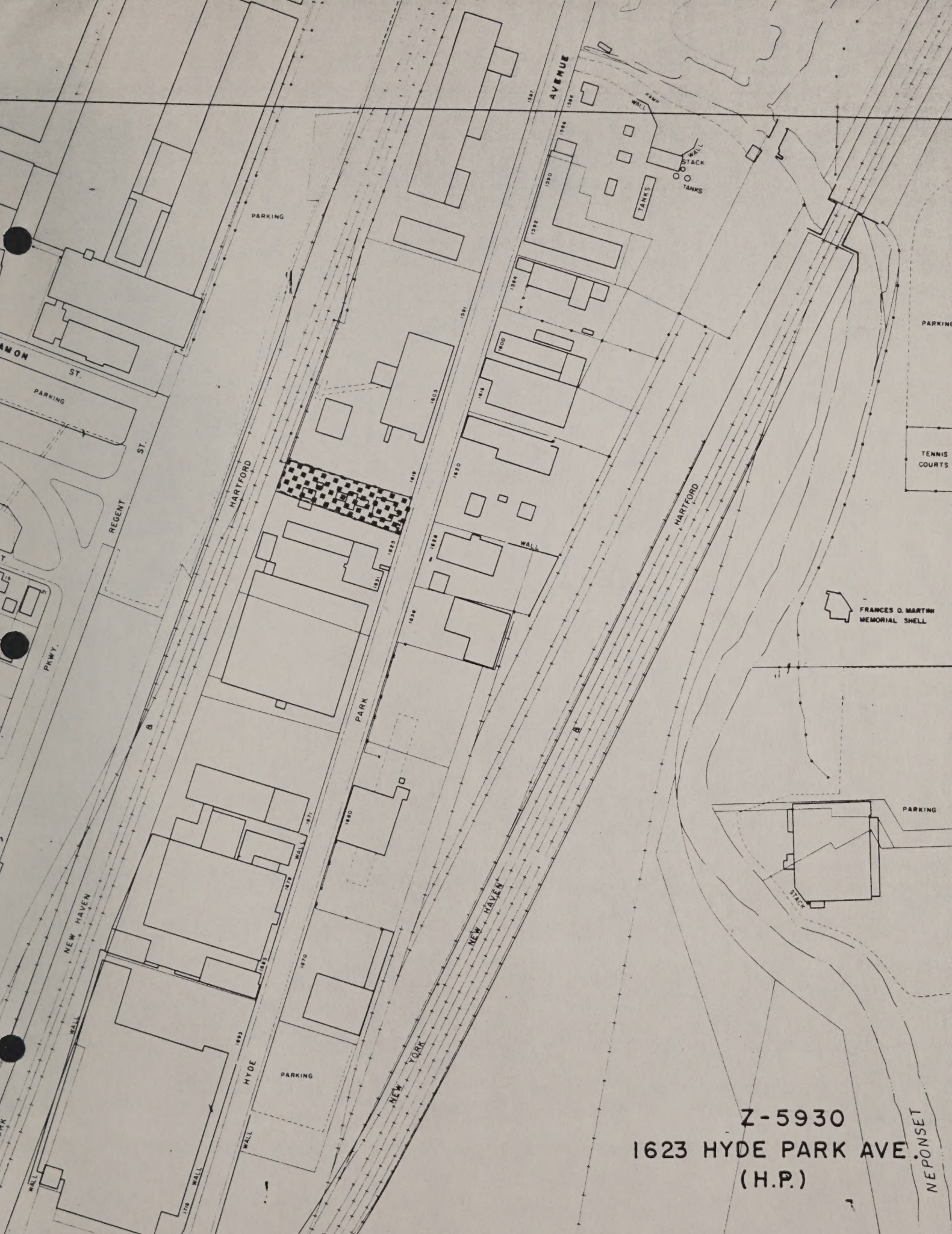
Violation(s):

Three-family dwelling is forbidden use.

Rear yard is insufficient.

Residence will not impact predominantly industrial area. No opposition.
Recommend approval.

VOTED: In reference to petition Z-5930, John W. Hannon, 1623 Hyde Park Avenue, Hyde Park, for a forbidden use and variance for change of occupancy from storage to three-family dwelling in an industrial (I-2) district, the Boston Redevelopment Authority recommends approval. Residence will not impact predominantly industrial area.



Z-5930
1623 HYDE PARK AVE
(H.P.)

NEPONSET

Board of Appeal Referrals 12/15/82

Hearing: 1/4/83

Z-5937

Happy Hour of Roslindale, Inc.
4187-4195 Washington Street, Roslindale
near South Street

One-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-1</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: change occupancy from restaurant to restaurant with entertainment (four video game and two pinball machines).

Violation(s):

Video game and pinball machines are forbidden uses.

Condition existing. "Happy Hour" restaurant-bar in Roslindale Square is currently licensed for the four video game and two pinball machines by the Licensing Board. Recommend denial without prejudice.

VOTED: In reference to petition Z-5937, Happy Hour of Roslindale, Inc., 4187-4195 Washington Street, Roslindale, for forbidden use for change of occupancy from restaurant to restaurant with entertainment (four video game and two pinball machines) in a local business (L-1) district, the Boston Redevelopment Authority recommends denial without prejudice.

Z-5937

4187-4195 WASHINGTON ST
(ROS.)



Board of Appeal Referrals 12/15/82

Hearing: 1/11/83

Z-5939

Ralph C. Pirelli

21 Sammet Avenue, Roslindale

near Toppan Avenue

Two-story structure

District(s):	apartment _____	general business _____	industrial _____
	residential <u>R-.5</u>	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: erect one-story garage addition to one-family dwelling.

Violation(s):

Rear yard is insufficient.

Addition will allow handicapped petitioner to enter garage directly from house. No opposition. Recommend approval.

VOTED: In reference to petition Z-5939, Ralph C. Pirelli, 21 Sammet Avenue, Roslindale, for a variance to erect a one-car garage addition to a one-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided plans are submitted for design review. Addition will allow handicapped petitioner to enter garage from house.



Z-5939
21 SAMMETT AVE.
(R.O.S.)

SAMMETT AVENUE

JOHN PHILBRICK EL SCH

PLAYGROUND

TENNIS COURTS

PARKING

LARCH PL.

FLORENCE ST.

STREET

WALL

HYDE PARK

MT. HOPE

AVENUE

WYVERN

HUNTER

FLORIAN

NEPONSET

STREET

PHILBRICK

STONY

WACHUSETT ST.

FLORIAN

FLORIAN ST.

CATHERINE

PITSMOOR RD.

GROVER AVE.

QUARLEY RD.

CHARNE

TOPPAN AVE.

AVENUE

MEYER

AVENUE

AVENUE

BROOK

PARKING

Board of Appeal Referrals 12/15/82

Hearing: 1/4/83

Z-5940

John Bethoney

100 (rear) Allandale Street, Jamaica Plain
near Elwell Road

Two-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family S-.3 manufacturing _____

Purpose: erect one-story structure - equestrian stable, indoor riding area,
and stable for 16 horses; 4-H Club for Jamaica Plain children.

Violation(s):

Private riding academy with stable facilities is forbidden use.

Rear yard is insufficient.

Authority recommended denial of similar petition in May, indicating that petitioner should meet with abutters and neighborhood to resolve differences.
Board of Appeal denied petition without prejudice.

Increased traffic and safety of children are two of the concerns petitioner must resolve with abutters and the neighborhood, which is strongly opposed.
Recommend denial.

VOTED: In reference to petition Z-5940, John Bethoney, 100 (rear) Allandale Street, Jamaica Plain, for a forbidden use and variance to erect a one-story equestrian structure in a single-family district, the Boston Redevelopment Authority recommends denial. Increased traffic and safety of children are two of the concerns petitioner must resolve with abutters and the neighborhood, which is strongly opposed.

Z-5940

100 (R) ALANDALE ST.

(J.R.)



Board of Appeal Referrals 12/15/82

Hearing: 1/4/83

Z-5941
Carlo A. Tagariello
15 Unity Street, Boston
near Tileston Street

Five-story structure

District(s): apartment H-3 general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: change occupancy from four apartments and store to five apartments.

Violation(s):

Dwelling converted for more families which does not meet open space requirements is forbidden use.

Open space is insufficient.

Proximity of Paul Revere Mall mitigates open space deficiency. Recommend approval.

VOTED: In reference to petition Z-5941, Carlo A. Tagariello, 15 Unity Street, Boston, for a forbidden use and variance for change of occupancy from four apartments and store to five apartments in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval. Proximity of Paul Revere Mall mitigates open space deficiency.



Z-5941
15 UNITY ST
(B.P.)

Board of Appeal Referrals 12/15/82

Hearing: 2/1/83

Z-5953

New Pathways to Life Foundation, Inc.

Paul D. Sullivan

5 G Street, South Boston

at Dorchester Street

Three-story structure

District(s): apartment _____ general business _____ industrial _____
 residential _____ local business L-1 waterfront _____
 single family _____ manufacturing _____

Purpose: increase capacity of rooming house from 18 to 28 unrelated persons
 18 years of age or older.

Violation(s):

Floor area ratio is excessive.

Front yard and off-street parking are insufficient.

In 1977, Authority recommended denial of a change of occupancy from three-family dwelling to halfway house for alcoholics; however, Board of Appeal subsequently granted approval. Facility is licensed by Division of Alcoholism. St. Vincent's Neighborhood Association and South Boston Citizens' Association are opposed to current proposal. Petitioner should meet with these community groups to resolve differences. Recommend denial without prejudice.

VOTED: In reference to petition Z-5953, New Pathways to Life Foundation, Inc., 5 G Street, South Boston, for three variances to increase capacity of rooming house from 18 to 28 unrelated persons eighteen years or older in a local business (L-1) district, the Boston Redevelopment Authority recommends denial without prejudice. Facility is licensed by Division of Alcoholism. St. Vincent's Neighborhood Association and South Boston Citizens Association are opposed to proposal. Petitioner should meet with these community groups to resolve differences.



7-5953
S G STREET
(S. B.)

SOUTH BOSTON
MUNICIPAL
BUILDING

ST GEORGE
ALBANIAN
ORTHODOX
CATHEDRAL

U.S. POST
OFFICE

ALBANIAN
ORTHODOX
CHURCH

FOURTH
PRESBYTERIAN
CHURCH

DORCHESTER
FIRE
STATION

HEALTH
UNIT

BOYS CLUB
SOUTH BOSTON

SUSTINE
ETARY

OLD HARBOR

CARMELITE
SISTERS

ATLANTIC

PACIFIC

LINDEN

FOURTH

EAST

EAST

SILVER

BROADWAY

EAST

EMERSON

STREET

STREET

STREET

SECOND

FIRST

WEST

EAST

Board of Appeal Referrals 12/15/82

Hearing: 1/4/83

Z-5954
Andrew Saggese
421 Marlborough Street, Boston
at Massachusetts Avenue

Six-story structure

District(s): apartment _____ general business B-8-120 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from 10 apartments and restaurant to 13 apartments and bar.

Violation(s):

Dwelling converted for more families which does not meet open space requirements is forbidden use,

Open space is insufficient.

Neighborhood has objected to noise and disturbance of bar patrons.
Recommend approval of apartment change only.

VOTED: In reference to petition Z-5954, Andrew Saggese, 421 Marlborough Street, Boston, for a forbidden use and variance for change of occupancy from 10 apartments and restaurant to 13 apartments and bar in a general business (B-8-120) district, the Boston Redevelopment Authority recommends approval of apartment change only. Neighborhood has objected to noise and disturbance created by the bar.

Z-5954

421 MARLBOROUGH ST.

(B.P.)



Board of Appeal Referrals 12/15/82

Hearing: 1/4/83

Z-5956

Angelo P. Mastrorillo
534 Commercial Street, Boston
at Copps Hill Terrace

401 square feet of land

District(s): apartment H-3 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: erect five-story one-family dwelling and accessory garage.

Violation(s):

Floor area ratio is excessive.

Rear yard and setback of parapet are insufficient.

Proposed dwelling consistent with predominantly residential area.
Recommend approval with proviso.

VOTED: In reference to petition Z-5956, Angelo P. Mastrorillo, 534 Commercial Street, Boston, for three variances to erect a five-story one-family dwelling and accessory garage in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

Z-5956

534 COMMERCIAL ST.

(B.P.)



Board of Appeal Referrals 12/15/82

Hearing: 1/4/83

Z-5966

Coleman Realty - John N. Coleman
28-30 B Street, South Boston
at West Sixth Street

One-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-.5</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: erect one-story addition to warehouse structure.

Violation(s):

Extension of nonconforming use.

Structure not allowed in required front yard.

Addition to small electronics facility will not impact commercial district.
Recommend approval.

VOTED: In reference to petition Z-5966, Coleman Realty, 28-30 B Street, South Boston, for extension of nonconforming use and variance to erect a one-story addition to warehouse structure in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval. Addition to small electronics facility will not impact commercial district.



DORCHESTER

FOUNDRY

STREET

AVENUE

SIXTH STREET

FLAHERTY

STREET

STREET

FOURTH

WEST

BROADWAY

ST. PETER & PAUL
CATHOLIC
CHURCH

CARDINAL
CUSHING
CENTRAL HIGH SCHOOL
FOR GIRLS

THIRD

BOLTON

SECOND

RAILROAD

WEST FIRST

GARDNER

JOYCE HAYES

WAY

Z-5966

28-30 B STREET

(S.B.)

Board of Appeal Referrals 12/15/82

Hearing: 1/4/83

Z-5972
Kwock Gen Jee
217-219 East Berkeley Street, Boston
near Harrison Avenue

Four-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-2

Purpose: change occupancy from seven apartments and store to four apartments.

Violation(s):

Change in pre-existing conditional use.

Petitioner acquired property from Authority. Staff has progressively reviewed development planning and design plans. Owner-occupied dwelling will offer market rental units. Recommend approval with proviso.

VOTED: In reference to petition Z-5972, Kwock Gen Jee, 217-219 East Berkeley Street, Boston, for a conditional use for change of occupancy from seven apartments and store to four apartments in a manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval with continuing design review by Authority. Petitioner acquired property from Authority; staff has progressively reviewed development planning and design plans. Owner-occupied dwelling will offer market rental units.



Z-5972

217-19 EAST BERKELEY ST.

(B.P.)

Board of Appeal Referrals 12/15/82

Hearing: 1/4/83

Z-5975

Trustees of Boston University
24 Cummington Street, Boston
at Blandford Street

23,567 square feet of land

District(s):	apartment <u>H-4</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u>M-2</u>

Purpose: combine lots; erect two-story academic structure for five motion picture theatres/academic lecture halls.

Violation(s):

Degree granting university is conditional use.

Theatre is forbidden use.

Rear yard, setback of parapet, screening-landscaping, and off-street loading are insufficient.

Nickelodeon Theatres currently lease ground floor space in building being renovated for Science Center and will be relocated. Theatres are used by University as lecture halls during daytime hours. Structure will be constructed on property owned by petitioner and is consistent with University-City cooperation agreement. Recommend approval with provisos.

VOTED: In reference to petition Z-5975, Trustees of Boston University, 24 Cummington Road, Boston, for a conditional use, a forbidden use, and four variances to erect a two-story theatre-academic structure in apartment (H-4) and manufacturing (M-2) districts, the Boston Redevelopment Authority recommends approval with the following provisos: that minimum of 100 off-street parking spaces be provided adjacent to 19-25 Cummington Street and to the rear of 42 Cummington Street or within 1200 feet of proposed structure; that real estate taxes continue to be paid on commercial theatres; that plans be submitted to the Authority for design review.



24 CUMMINGTON ST
(B.P.)

Z-5975

FENWAY PARK

LANDOWNE

FENMORE STATION
U.S. POST OFFICE

TURNPIKE

NEWBURY

ALLEY

PARKING AREA

KENMORE

MTA

90

20 30

AREA

STREET

RESERVATION

AVENUE

AUTHORITY

COMMONWEALTH

STREET

HINDALE

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

BOSTON UNIVERSITY

Board of Appeal Referrals 12/15/82

Hearing: 1/4/83

Z-5976

Roslindale Motor Sales, Inc.

Francis J. Devine

75 Stedman Street, Jamaica Plain

near Brookley Road

One-story structure

District(s): apartment _____ general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing M-1

Purpose: change occupancy from repair shop, garage, and office to
 repair shop, garage, office, parking of towed vehicles,
 dismantling of cars, and sale of used automotive parts.

Violation(s):

Dismantling of motor vehicles is forbidden use.

Tow lot is forbidden use.

Petitioner presently tows and stores accident-damaged vehicles for Boston, MDC, and State Police. Property abuts MBTA Forest Hills yards. Area is predominantly industrial-commercial. Recommend approval with proviso.

VOTED: In reference to petition Z-5976, Roslindale Motor Sales, Inc., 75 Stedman Street, Jamaica Plain, for two forbidden uses for change of occupancy from repair shop, garage, and office to repair shop, garage, office, parking of towed vehicles, dismantling of cars, and sale of used automotive parts in a manufacturing (M-1) district, the Boston Redevelopment Authority recommends approval provided adequate screening is provided and plans for it are submitted for design review. Petitioner presently tows and stores accident-damaged vehicles for Boston, MDC, and State Police. Property abuts Forest Hills MBTA yards. Area is predominantly industrial-commercial.



FRANKLIN (J.P.)

75 STEDMAN ST.

Z-5976

Board of Appeal Referrals 12/15/82

Hearing: 1/4/83

Z-5983-5984

Ida Berzins

25 Carlson Road and 854 Metropolitan Avenue,
Hyde Park

2½-story structure

District(s): apartment _____
residential _____
single family S-.3general business _____
local business _____industrial _____
waterfront _____
manufacturing _____

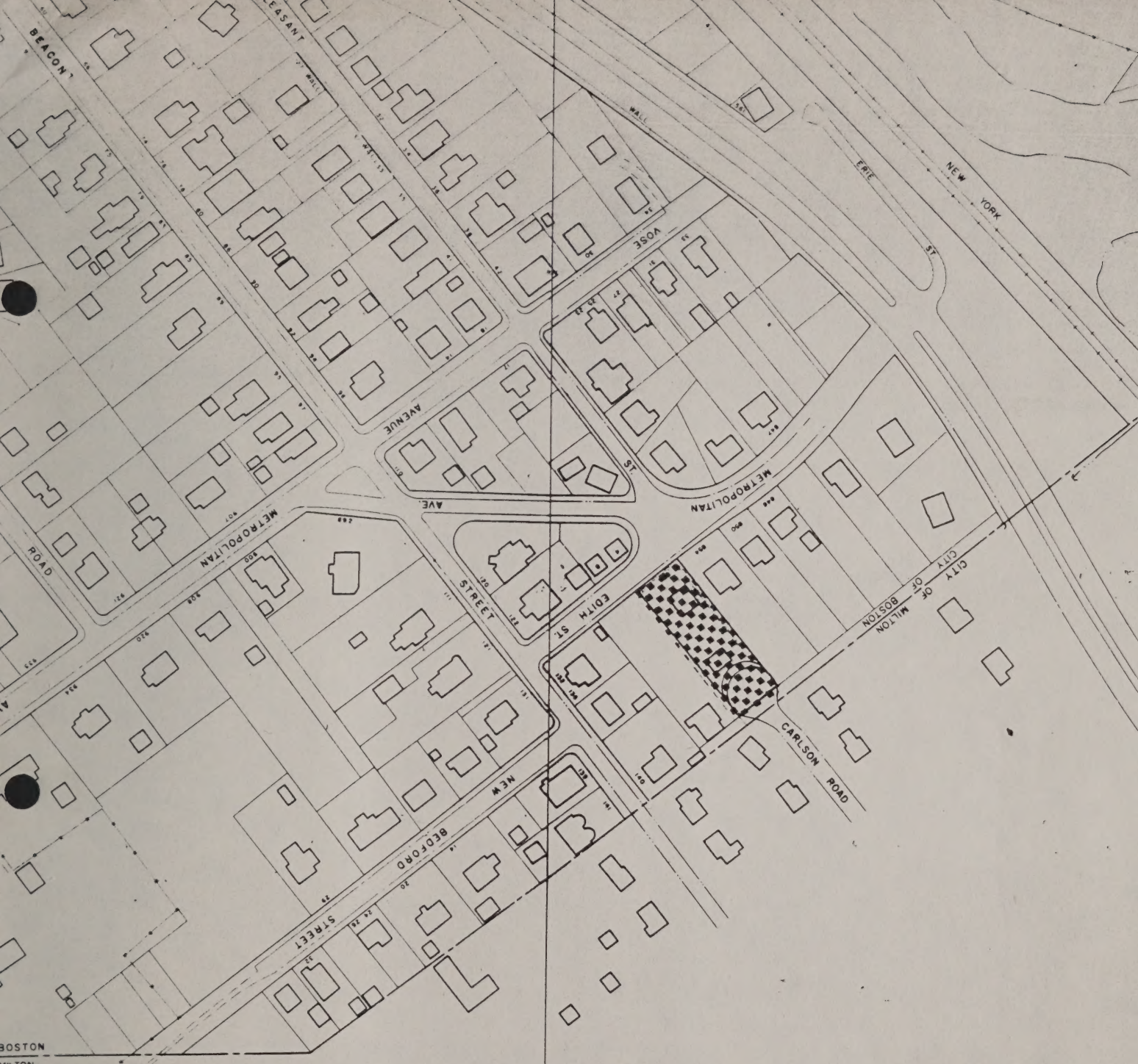
Purpose: subdivide.

Violation(s):

Subdivision creates substandard lot.

Rear yard is insufficient.

Proposal would allow appellants' family member to build another dwelling.
No neighborhood opposition. Recommend approval.VOTED: In reference to petition Z-5983-5984, Ida Berzins,
25 Carlson Road and 854 Metropolitan Avenue, Hyde
Park, for two variances to subdivide in a single
family (S-.3) district, the Boston Redevelopment
Authority recommends approval. No negative impact
on this residential neighborhood.



Z-5983-84
25 CARLSON RD.
854 METROPOLITON AVE
(H. P.)

